

REMARKS

The foregoing Amendment and the following Remarks are submitted in response to the Office Action issued on September 15, 2005 in connection with the above-identified patent application, and are being filed within the three-month shortened statutory period set for a response by the Office Action.

Claims 1-3, 5, 8, 9, 13, 14, 16, and 19 are pending in the present application. Independent claim 1 has been amended to include the subject matter of claims 10-12, and such claims 10-12 have thus been canceled. Likewise, independent claim 13 has been amended to include the subject matter of claims 20-22, and 18, and such claims 20-22 have thus been canceled. Applicant respectfully submits that no new matter has been added to the application by the Amendment.

Applicant respectfully requests reconsideration and withdrawal of the rejections of the claims, consistent with the following remarks.

Applicant notes that claims 1 and 13 have been amended to include the subject matter formerly recited in now-canceled claims 12 and 22. Accordingly, Applicant will address the rejection of claims 1 and 13 in terms of the rejection of claims 12 and 22.

In particular, the Examiner has rejected claims 1 (12) and 13 (22) et seq. under 35 USC § 103 as being obvious over Oba et al. (U.S. Patent No. 6,250,721). Applicant respectfully traverses the § 103(a) rejection insofar as it may be applied to the claims as amended.

Independent claim 1 recites a wheel-balancing weight for being mounting to a wheel with a flange. The weight has a weighted body and a clip securely attached thereto. The body defines a recess therein, and the clip has a securing portion formed to be securely

positioned within the recess defined in the body, as well as a grasping portion for securely grasping the flange. The recess of the body allows the clip to be positioned with respect to such body so that the body is shifted toward the mounted-to wheel to achieve a proper fit to the wheel. That is, without the recess, the body would be farther away from the wheel and will not fit as well to such wheel. The securing portion of the clip is secured within the recess by flowing a portion of the body adjacent such clip into contact therewith.

In addition, claim 1 recites that the body has an outboard face for facing away from the mounted-to wheel and an opposing inboard face for facing toward the mounted-to wheel, and the body defines the recess to extend along the inboard face. Also, the body has an inner radial face for facing toward an axis of the mounted-to wheel and an opposing outer radial face for facing away from the axis of the mounted-to wheel, and the body further defines the recess to transition from the inboard face and along the outer radial face. Finally, the securing portion of the clip includes a substantially planar radial portion positioned within the recess substantially parallel to the inboard face, and a substantially planar axial portion positioned within the recess substantially parallel to the outer radial face.

As amended to include the subject matter of now-canceled claim 12, independent claim 1 also recites that the body in defining the recess includes a pair of opposing lateral sides that demarcate the recess and define a width of such recess, and that the securing portion of the clip has a pair of opposing lateral edges that define a width of such securing portion, where each lateral edge of the securing portion of the clip corresponds to a lateral side of the recess of the body. The width of the securing portion of the clip is substantially the width of the recess of the body, and with the securing portion of such clip

positioned within such recess, each lateral edge of the securing portion of the clip is in a substantially abutting position with respect to the corresponding lateral side of the body.

The securing portion of the clip is secured within the recess by flowing each lateral side of the body into the corresponding lateral edge of the securing portion of the clip, whereby the clip is prevented from at least circumferential and axial movement with respect to the mounted-to wheel. Each lateral edge of the securing portion of the clip defines a plurality of lateral serrations therein.

Significantly, as newly recited in any of the claims, the lateral serrations on each lateral edge extend along substantially the entirety of the corresponding lateral side of the recess with the securing portion of the clip positioned within the recess. Also significantly, and as also newly recited in any of the claims, substantially all of the lateral serrations interact with the flowed lateral sides of the body to prevent the clip from radial movement with respect to the mounted-to wheel.

Independent claim 13 as amended to include the subject matter of now-canceled claim 22 recites substantially the same subject matter as claim 1 although in the form of a vehicle having the wheel with the flange and the weight mounted to such flange.

As was previously noted, and as was set forth in the background section of the present application, a wheel-balancing weight was typically constructed to have a body formed from lead or the like as a unitary mass around a steel clip, where the steel clip securely clips on to an exterior circumferential flange or lip at the rim of the wheel. However, the use of lead has come to be discouraged for environmental reasons , among others.

Accordingly, the body of the wheel-balancing weight is now formed from a material other than lead, such as for example steel or zinc. However, and as should be appreciated, such steel or zinc weight cannot be easily formed as a unitary mass around the clip for the reason that the steel or zinc is less malleable than lead and has a higher melting point as compared to lead. Thus, the clip must be attached to the steel or zinc weight at a surface of such weight. Note, though, that the clip must be attached to the body in a secure manner so that the clip does not move axially, circumferentially, or radially with respect to the body. Thus, in the present invention, a securing portion of the clip is positioned within a recess of the body to prevent circumferential movement and material adjacent the lateral edges of the securing portion of the clip is flowed into contact therewith to prevent axial movement.

Significantly, to prevent radial movement, each lateral edge of the securing portion of the clip is provided with a plurality of serrations that co-act with the flowed material to radially secure the clip with respect to the body. Also significantly, the lateral serrations on each lateral edge extend along substantially the entirety of the corresponding lateral side of the recess with the securing portion of the clip positioned within the recess, and substantially all of the lateral serrations interact with the flowed material, with the result being that the clip is especially radially secure with respect to the body.

The Oba reference discloses several embodiments of a wheel-balancing weight with a body having a recess for securing a securing portion of a clip. In at least some of the embodiments, such as those shown in Figs. 2 and 5, each lateral edge of the securing portion of the Oba clip has a single recess or serration, and for each single recess the Oba body has a corresponding protrusion of material that is flowed into contact therewith to

radially secure the Oba clip. However, and significantly, no embodiment of the Oba reference discloses or even suggests that each lateral edge of the securing portion of the Oba clip has a plurality of serrations, as is required by claims 1 and 13. Moreover, no embodiment of the Oba reference discloses or even suggests that the plurality of lateral serrations on each lateral edge extend along substantially the entirety of the corresponding lateral side of the recess with the securing portion of the clip positioned within the recess, and substantially all of the lateral serrations interact with the flowed material, as is also required by claims 1 and 13.

Quite simply, the Oba reference does not express any awareness or appreciation that by providing a plurality of serrations at each lateral edge and by extending such serrations along substantially the entirety of the corresponding lateral side of the recess, the Oba clip may be especially radially secure. Instead, the Oba reference attempts to provide such especial radial security by way of relatively complex features such as a stud (Fig. 5), angled lateral sides and edges (Fig. 8), and other geometrically complex features (Figs. 11a-13b). Put another way, although the Oba reference appreciates the problem addressed by the present invention, the Oba reference expresses no understanding of the simple and elegant solution as offered by the present invention recited in claims 1 and 13 - a plurality of serrations at each lateral edge and extending along substantially the entirety of the corresponding lateral side of the recess. Instead, the Oba reference offers a host of more complex and likely dubious solutions.

Thus, Applicant respectfully submits that the Oba reference does not disclose or even suggest the subject matter recited in independent claims 1 and 13 or any claims depending therefrom. Accordingly, and for all the aforementioned reasons, Applicants

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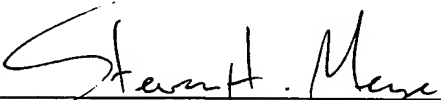
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respectfully submit that the Oba reference cannot be applied to make obvious such claims.

Thus, Applicant respectfully requests reconsideration and withdrawal of the § 103(a) rejection.

In view of the foregoing discussion, Applicant respectfully submits that the present application, including claims 1-3, 5, 8, 9, 13, 14, 16, and 19, is in condition for allowance, and such action is respectfully requested.

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